

LEONARD K. HOWELL

PLAINTIFF/PETITIONER/MOVANT'S NAME

PRISON NUMBER

PLACE OF CONFINEMENT

ADDRESS

FILED

08 JUN 16 PM 12:39

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

**United States District Court
Southern District Of California**

08 CV 1060 J WMC

LEONARD K. HOWELL
dba Howell's RV

Plaintiff/Petitioner/Movant

v.
WASHINGTON MUTUAL BANK, a federally
chartered thrift institution

Defendant/Respondent

Civil No. _____

(TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

**MOTION AND DECLARATION UNDER
PENALTY OF PERJURY IN SUPPORT
OF MOTION TO PROCEED IN FORMA
PAUPERIS**

LEONARD K. HOWELL

I, _____
declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

In further support of this application, I answer the following question under penalty of perjury:

1. Are you currently incarcerated? ☐ Yes ☒ No (If "No" go to question 2)

If "Yes," state the place of your incarceration _____

Are you employed at the institution? ☐ Yes ☐ No

Do you receive any payment from the institution? ☐ Yes ☐ No

[Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

CR

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. I have been self-employed for some 37 years.

But, right now, due to the high cost of fuel and other conditions that prevail in the trailer and RV business, I am out of business and have recently filed a Chapter 7 Petition in Bankruptcy, which proceeding is presently pending.

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. See above

3. In the past twelve months have you received any money from any of the following sources?:

- | | | |
|---|--|--|
| a. Business, profession or other self-employment | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <u>Very little</u> |
| b. Rent payments, royalties interest or dividends | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| c. Pensions, annuities or life insurance | <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <u>Correction, I receive a monthly</u> |
| d. Disability or workers compensation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <u>Pension Payment from the US Nav</u> |
| e. Social Security, disability or other welfare | <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <u>which is barely enough to pay t</u> |
| e. Gifts or inheritances | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <u>payments on my home mortgage.</u> |
| f. Spousal or child support | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| g. Any other sources | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month. Soc, Sec. Old Age Benefits - \$800/mo. ;
US Navy Pension - Lifetime \$1,750/mo.

4. Do you have any checking account(s)? ☒ Yes ☐ No

a. Name(s) and address(es) of bank(s): Bank of America, Santee, CA.

b. Present balance in account(s): \$300.00

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): _____

b. Present balance in account(s): _____

6. Do you own an automobile or other motor vehicle? ☒ Yes ☐ No

a. Make: Ford Year: 2004 Model: Focus

b. Is it financed? ☒ Yes ☐ No Ford Motor Finance - \$6500

c. If so, what is the amount owed? _____

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

☒ Yes ☐ No

One-family dwelling, Lakeside, CA.

If "Yes" describe the property and state its value.

FMV - \$450,000; First Mortgage \$710,000 - No Equity

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

WIFE

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable):

All business debts and obligations listed in Bankruptcy

Petition, Chapter 7.

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]):

NONE

12. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses.

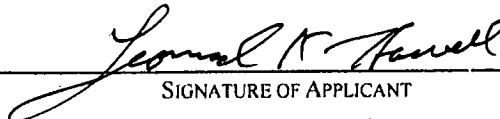
A little money I try to earn from a Mobile RV Appliance Repair business.

Plus Soc. Sec. Income

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

June 16, 2008

DATE



SIGNATURE OF APPLICANT